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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,876	03/31/2004	Randolph M. Linenberger	40203.6USU1	9098
23552	7590	04/07/2006	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			LANDRUM, EDWARD F	
			ART UNIT	PAPER NUMBER
			3724	

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/815,876	Applicant(s) LINENBERGER, RANDOLPH M.	
	Examiner Edward F. Landrum	Art Unit 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Foreign Patent

DETAILED ACTION

Information Disclosure Statement

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "3" has been used to designate both the back, a file in Figure 2A, and a different file in Figure 3A. Furthermore, reference character "4" has been used to designate both the outside return and a file. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

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3. Claims 7 and 14 are objected to because of the following informalities: The claims are not grammatically correct. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 6-8, and 13-16 rejected under 35 U.S.C. 102(b) as being anticipated by Cranston (U.K Patent Application No. 2069460).

Regarding claims 1 and 8, Cranston teaches (Pg. 1, lines 42-48, 66-74; also see Figures 1-3) a method for preparing a 3-dimensional letter including the returns and the back panel of the letter. The outline is cut out of a larger piece of material and scoring the width of the return to indicate where the return is to be bent in an inward or outward direction depending on the design of the letter.

Regarding claims 6 and 13, Cranston teaches (Pg. 1, lines 66-74) the letter may be bent together at home, and can be made out of cardboard, therefore implying that the letter can be bent by hand.

Regarding claims 7 and 14, Cranston teaches (see Figure 1) score lines which mark the return with the shape of the finished return.

Regarding claim 15, Cranston teaches (see Figures 1-3; Pg. 1, lines 42-48, 66-74) a box letter with a return intermediate including a flange portion wherein the return outline and the flange portion have areas where material has been removed indicating

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where the return is to be shaped and being. Score lines are used across the width of the return to indicate to facilitate subsequent bending of the return in either an inward or outward direction.

Regarding claim 16, Cranston teaches (see Figure 1) score lines which mark the return with the shape of the finished return.

Claim Rejections - 35 USC § 103

6. Claims 2, 3, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cranston in view of Fradkin (U.S Patent No. 3,899,120) in further view of Vassiliou (U.S Patent No. 5,273,206).

Cranston teaches all of the elements of the current invention as stated above except the score lines for outward bends and inward bends being different, specifically, the score lines for the inward bends being deeper than the score lines for the outward bends.

Fradkin teaches (Col. 3, lines 39-58) making score lines of two different depths in to allow for easier bending of flaps and sides related to the score lines.

Vassiliou teaches (Col. 5, lines 49-61) one of ordinary skill in the art with very little experimentation can determine the proper depth scores for a box-like object so that the box will not yield or present interference with the formation of the structure.

It would have been obvious to have modified Cranston to incorporate the teachings of Fradkin and Vassiliou to find the correct depths of score for each various score line be it for an inward bend or an outward bend. Finding the best fit score line for

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the bend would make the returns, back, front, and flaps of the box letter easier to bend along the score lines while also making the box letter as resilient as possible.

7. Claims 4, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cranston in view of Dundorf (U.S Patent No. 6,459,952) in further view of Durney (U.S Patent No. 5,979,525).

Cranston teaches all of the elements of the current invention as stated above except all the cutting and scoring being done by a router.

Dundorf teaches (Col. 2, lines 52-66, Col. 7, lines 35-48) teaches the use of a router to make cuts of different depths based on the parameters a user has set forth.

Durney teaches (see Figure 4; Col. 4, lines 23-48) the use of a router bit (52) for scoring a material.

It would have been obvious to have modified Cranston to incorporate the teachings of Dundorf and Durney to use a router system to make all cuts and scores required for a bendable box letter because routers can cut through almost any material, help reduce splintering, and not deliver a lifting force which could affect the overall accuracy of a cut or score.

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Susnjara et al (U.S Patent No. 6,502,002), hereinafter Susnjara, in view of Cranston.

Susnjara teaches (see Figure 1, Col. 3, lines 11-27) teaches a computer program storage medium (54) readable by a computing system (11) for executing computer processes for executing a router machine (10) to prepare anything able to be cut by 3-axis cutting machine and programmable into a computer.

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Cranston teaches (see Figures 1-3; Pg. 1, lines 42-48, 66-74) a box letter with a return intermediate including a flange portion wherein the return outline and the flange portion have areas where material has been removed indicating where the return is to be shaped and being. Score lines are used across the width of the return to indicate to facilitate subsequent bending of the return in either an inward or outward direction.

It would have been obvious to have modified Susnjara to incorporate the teachings of Cranston to create a program that automated the process of creating templates for box letters to save time and money by making the process computer controlled. Using a CNC (Computer Numerically Controlled) system to would also increase the overall accuracy of each cut thereby avoiding any problems related to human error.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Paige (U.S Patent No. 2,050,894), Kempen (U.S Patent No. 2,949,827), Buttery et al (U.S Patent No. 3,128,025) teach 3-dimensional objects with various types of score lines. Trybus (U.S Patent No. 6,588,086), and Susnjara '580) teach CNC type processes with routers.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward F. Landrum whose telephone number is 571-272-5567. The examiner can normally be reached on Monday-Friday 8-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 571-272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EFL
3/26/2006



Allan N. Shoap
Supervisory Patent Examiner
Group 3700